

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 77-139

ORDER AMENDING ORDER NO. 76-37

TO ADOPT A REVISED COMPLIANCE TIME SCHEDULE FOR:

ACME FILL CORPORATION - ACME SANITARY LANDFILL
CLASS II-1 SOLID WASTE DISPOSAL SITE
MARTINEZ, CONTRA COSTA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, finds that:

1. The Regional Board on April 20, 1976, adopted Order No. 76-37 prescribing waste discharge requirements and compliance time schedules for Acme Fill Corporation (hereinafter discharger).
2. Provision C.2 of Order No. 76-37 requires the discharger to provide protection for the landfill against a 100 year flood and eliminate vertical and lateral hydraulic continuity with groundwater. The full compliance deadline, which provided for the construction of a levee to meet with these specifications, was to be accomplished by October 1, 1977. The discharger, in a letter dated September 9, 1977, informed the Board that the October 1, 1977, deadline could not be met because the proposed levee lies in an area below the mean higher high water level and thus requires an Army Corps of Engineers permit. The issuance of a Corps permit may require preparation of an Environmental Impact Statement. The project has been delayed beyond the discharger's control.
3. The Board adopted a Water Quality Control Plan for the San Francisco Bay Basin, in April 1975, and this Order implements the Water Quality Objectives stated in that Plan.
4. The Board has notified the discharger and interested agencies and persons of its intent to amend waste discharge requirements for this site.
5. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.
6. This project involves the continued operation of a privately owned sanitary landfill, with minor alteration to the land. Consequently, this project will not have a significant effect on the environment based upon the exemption provided in Section 15101, Title 14, California Administrative Code.

IT IS HEREBY ORDERED that Order No. 76-37 is amended to read as follows:

The discharger shall comply with the following time schedule to assure compliance with Provision C.2.

<u>Task</u>	<u>Report of Compliance Due</u>
Progress Report I	March 1, 1978
Progress Report II	September 1, 1978
Progress Report III	March 1, 1979
Full Compliance	October 1, 1979

In addition, the discharger shall submit to the Board by September 1, 1978, a plan to comply with the Order which will be implemented in the event the land disputes are not resolved, and will require full compliance to be achieved by October 1, 1979.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on November 15, 1977.

FRED H. DIERKER
Executive Officer